



United States Attorney
Southern District of New York

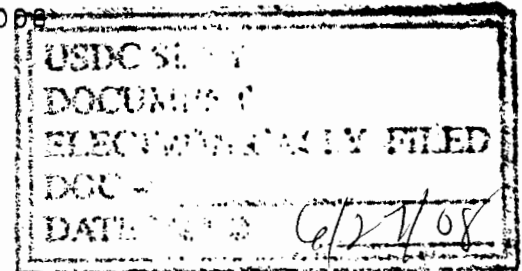
MEMORANDUM ENDORSED

86 Chambers Street
New York, New York 10007

June 27, 2008

BY FAX

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 510
New York, New York 10007-1312



Re: Nersa Kercado o/b/o J.L.T. v. Astrue
08 CV 0878 (WHP) (GWG)

Dear Judge Gorenstein:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to advise the Court of recent events and to request an extension of defendant's time to file an answer or move with respect to the complaint.

Pursuant to the Court's Order of May 5, 2008, defendant's answer is due today, June 27, 2008. In preparing to answer this case, I encountered an issue that requires me to seek additional information from the Agency with regard to the timeliness of plaintiff's complaint. Accordingly, I request a thirty-day extension of time in which to file defendant's answer, to July 28, 2008. This is the Government's second request for an extension. I have attempted to obtain plaintiff's consent to this request by leaving a voicemail message, but have not yet had my call returned.

Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

Susan C. Branagan
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Assistant United States Attorney
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By:

SO ORDERED DATE 6/27/08
GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

cc: Nersa Kercado, Pro Se

Denied without prejudice to making a motion for an extension pursuant to Local Civil Rule 6.1 on or before July 2, 2008. (In the alternative, an Answer may be filed on that date.) The motion should describe in detail all efforts made to comply with the May 5, 2008 Order.